

Docket No.: 06727/0205099-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Oz Cabiri et al.

Application No.: 10/596,971

Confirmation No.: 3402

Filed: June 30, 2006

Art Unit: N/A

For: PRESSURE-PROPELLED SYSTEM FOR
BODY LUMEN

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:
(Check one of the boxes A-D)

- A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above identified national application
- B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.
- C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.M./

(check one of the boxes "i" and "ii" below:)

- i. Counsel states that, upon information and belief, each item of information listed herein was (check one of boxes (a) or (b))
 - (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
 - (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- ii. A check for the fee set forth in 1.17(p), presently believed to be \$180, is enclosed.
- D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. Under 37 CFR 1.17(i) a check in the amount of \$180.00 is enclosed. Counsel certifies that, upon information and belief, each item of information listed herein was

(check one of the boxes "a" and "b" below:)

- (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

A. Pursuant to the 37 C.F.R. § 1.98(a)(2)(ii), a copy/copies of the U.S. Patent(s) and/or U.S. Patent Application Publication(s) on PTO/SB08 is/are not being submitted.

B. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.

C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

<<INSERT SERIAL NO. & FILING DATE>>

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449 and/or PTO/SB/08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

3. Cite No(s). BH and BI are not in the English language. In accordance with 1.98(c), Applicant states:

An English translation of BH (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609).

A concise explanation of the relevance of document(s) _____ is set forth as follows: [Insert concise explanation of relevance]

A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

A concise explanation of document(s) _____ can be found on the attached sheet.

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4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 in the preamble to the final rules; 1135 OG 13 at 20).

5. Other information being provided for the examiner's consideration follows:

[A/An _____ Search Report, dated _____, which issued during the prosecution of _____ Application No. _____ which corresponds to the present application.]

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Early and favorable consideration is earnestly solicited.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: February 5, 2007

Respectfully submitted,

By _____

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Registration No.: 25,351

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PTO/SB/08A/B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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Substitute for form 1449/PTO				Complete If Known	
				Application Number	10/596,971-Conf. #3402
				Filing Date	June 30, 2006
				First Named Inventor	Oz Cabiri
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	3	Attorney Docket Number	06727/0205099-US0

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (# known)			
AA*	US-4,077,610-B1	03/1978	Masuda		
AB*	US-4,530,698-B1	07/1985	Goldstein et al.		
AC*	US-4,971,034-B1	11/1990	Doi et al.		
AD*	US-4,976,524-B1	12/1990	Chiba		
AE*	US-5,398,670-B1	03/1995	Ortiz et al.		
AF*	US-5,604,531-B1	02-18-1997	Iddan et al.		
AG*	US-5,910,105-B1	06/1999	Swain et al.		
AH*	US-6,028,719-B1	02/2000	Beckstead et al.		
AI*	US-6,157,018-B1	12/2000	Ishiguro et al.		
AJ*	US-6,333,826-B1	12/2001	Charles		
AK*	US-6,341,044-B1	01/2002	Driscoll, Jr. et al.		
AL*	US-6,356,296-B1	03/2002	Driscoll, Jr. et al.		
AM*	US-6,373,642-B1	04/2002	Wallerstein et al.		
AN*	US-6,388,820-B1	05/2002	Wallerstein et al.		
AO*	US-6,424,377-B1	07/2002	Driscoll, Jr. et al.		
AP*	US-6,449,103-B1	09/2002	Charles		
AQ*	US-6,459,451-B1	10/2002	Driscoll, Jr. et al.		
AR*	US-6,493,032-B1	10/2002	Wallerstein et al.		
AS*	US-6,517,477-B1	02/2003	Wendlandt		
AT*	US-6,527,705-B1	03/2003	Ouchi		
AU*	US-6,597,520-B1	07/2003	Wallerstein et al.		
AV*	US-6,611,282-B1	08/2003	Trubko et al.		
AW*	US-6,695,771-B1	02/2004	Takada		
AX*	US-6,702,734-B1	03/2004	Kim et al.		
AY*	US-6,704,148-B1	03/2004	Kumata		
AZ*	US-6,764,441-B1	07/2004	Chiel et al.		
AA1*	US-6,786,864-B1	09/2004	Matsuura et al.		
AB1*	US-6,800,056-B1	10/2004	Tartaglia et al.		
AC1*	US-6,827,718-B1	12/2004	Hutchins et al.		
AD1*	US-6,837,846-B1	01/2005	Jaffe et al.		
AE1*	US-20020012059-A1	01-31-2002	Wallerstein et al.		
AF1*	US-20020109772-A1	08-15-2002	Kuriyama et al.		
AG1*	US-20020109773-A1	08-15-2002	Kuriyama et al.		
AH1*	US-6,130,783	10-10-2000	Yagi et al.		
AI1*	US-20030074015-A1	04-17-2003	Nakao		
AJ1*	US-6,439,032	08-27-2002	Lehmann et al.		
AK1*	US-20030191369-A1	10-09-2003	Arai et al.		
AL1*	US-20030225433-A1	12-04-2003	Nakao		
AM1*	US-20040004836-A1	01-08-2004	Dubuc		
AN1*	US-20040111010-A1	06-10-2004	Nishiie		
AO1*	US-20040199087-A1	10-07-2004	Swain et al.		
AP1*	US-20040199088-A1	10-07-2004	Bakos et al.		
AQ1*	US-20040199196-A1	10-07-2004	Ravo		
AR1*	US-20040204702-A1	10-14-2004	Ziegler et al.		
AS1*	US-20040249247-A1	12-09-2004	Iddan		

Examiner Signature	/Manuel Mendez/	Date Considered	07/05/2010
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.M./

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				Filing Date	June 30, 2006
				First Named Inventor	Oz Cabiri
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	3	Attorney Docket Number	06727/0205099-US0

AT1*	US-20040260150-A1	12-23-2004	Bernstein
AU1*	US-4,838,859-B1	06/1989	Strassmann
AV1*	US-6,974,441-A1	12-13-2005	Ravo et al.
AW1	US-5,728,068	03-17-1998	Leone et al.
*			
AX1*	US-3,924,625	12/1975	Peterson
AY1*	US-5,364,353	11/1994	Corfitsen, et al.
AZ1*	US-5,509,371	04-23-1996	Phillips
AA2*	US-6,422,989	07/2002	Hektnar
AB2*	US-5,395,332	03-07-1995	Ressmann et al.
AC2*	US-5,863,284	01-26-1999	Klein
AD2*	US-20030208219-A1	11-06-2003	Aznoian et al.
AE2*	US-6,932,323-A1	01-27-2005	James
AF2*	US-4,066,070-B1	01/1978	Usugi
AG2*	US-4,561,427-B1	12/1985	Takada
AH2*	US-6,071,234-B1	06/2000	Takada
AI2*	US-6,332,865-B1	12/2001	Borody et al.
AJ2*	US-3,895,637	07-22-1975	Choy
AK2*	US-5,353,807	10/1994	DeMarco
AL2*	US-5,906,357	05-25-1999	Munson, Sr.
AM2*	US-4,596,381	06-24-1986	Hamrick
AN2*	US-20040143161-A1	07-22-2004	Baror et al.
AO2*	US-6,824,510-B1	11/2004	Kim et al.
AP2*	US-20030181788-A1	09-25-2003	Yokoi et al.
AQ2*	US-6,648,814-B1	11/2003	Kim et al.
AR2*	US-5,586,968-A	12/1996	Grundl et al.
AS2*	US-6,315,713-B1	11/2001	Takada
AT2*	US-6,537,206-B1	03/2003	Takada
AU2*	US-6,866,626-A1	03-15-2005	Long et al.
AV2*	US-5,571,114-B1	11/1996	Devanaboyina
AW2	US-6,682,479	01-27-2004	Takahashi et al.
*			
AX2*	US-6,814,728-A1	11-09-2004	Ouchi et al.
AY2*	US-6,911,005-A1	06-28-2005	Ouchi et al.
AZ2*	US-5,984,860	11-16-1999	Shan
AA3*	US-6,709,388	03-23-2004	Mosse et al.
AB3*	US-20050095200-A1	05-05-2005	Schwarzberg
AC3*	US-20050038317-A1	02-17-2005	Ratnakar
AD3*	US-6,869,393-A1	03-22-2005	Butler et al.
AE3*	US-5,941,815	08-24-1999	Chang
AF3*	US-5,879,325	03-09-1999	Lindstrom et al.
AG3*	US-6,646,818-A1	11-11-2003	Doi et al.

Examiner Signature	/Manuel Mendez/	Date Considered	07/05/2010
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ⁴ -Number ⁴ -Kind Code ⁵ (if known)				
BA	WO-01/68540-A2	09-20-2001	Friend			
BB	WO-02/059676-A1	08-01-2002	Wave Group Ltd.			
BC	WO-02/075348-A2	09-26-2002	Wave Group Ltd.			
BD	WO-03/026272-A2	03-27-2003	Wave Group Ltd.			
BE	WO-03/046830-A2	06-05-2003	Wave Group Ltd.			
BF	WO-03/053225-A1	07-03-2003	Endogene Pty. Ltd.			
BG	WO-04/010858-A2	02-05-2004	GI View Ltd.			
BH	EP-0267446	05-18-1988	Wedel GmbH Co Medizintech			✓
BI	FR-1465723	03-30-1967	Aisthom Cgee			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T ²
	CA	U.S. Provisional Patent Application No. 60/571,438 filing date May 14, 2004.				
	CB	U.S. Provisional Patent Application No. 60/607,986 filing date September 8, 2004.				
	CC	U.S. Provisional Patent Application No. 60/652,049.				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Manuel Mendez/	Date Considered	07/05/2010
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